

Naples City Council

April 28, 2022

Minutes

The regularly scheduled meeting of the Naples City Council was held April 28, 2022, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Dean Baker was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Scott Major, Willis LeFevre, Gwen Harrison, Stephanie Adams, Bret Stringham James Richards, Brooks Jones, Szeth Simmons, Nathan Simper, Micheal Davis, and Nikki Kay.

OTHERS ATTENDING

Mayor Pro Tem Dan Olsen welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Pro Tem Dan Olsen opened the meeting with the pledge of allegiance. Councilman Reynolds offered the invocation.

OPENING CEREMONY

Mayor Pro Tem Dan Olsen asked for approval of the agenda. Robert Hall **moved** to approve the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

The minutes of the regular city council meeting of April 14, 2022 were presented for approval. Dennis Long **moved** to approve the minutes as written. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting in the affirmative.

MINUTES APPROVED

Mayor Pro Tem Olsen asked if anyone had anything they wanted to follow up on from the previous meeting. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Nikki Kay presented the bills for payment in the amount of \$29,834.43. Kenneth Reynolds **moved** to approve the bills in the amount of \$29,834.43. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye

Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

A business license application was received from **Cozy Minky Co** located at 1378 E Hwy 40. Nikki Kay stated the business is finished with the remodel of their building and it has been inspected and recommended for approval by Dale Peterson. Dennis Long **moved** to approve the license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

BUSINESS LICENSE APPROVALS

A business license application was received from **Phoenix Trucking** located at 858 E 2950 S. Nikki Kay stated the owners of the business would not be parking their truck at their residence, the home would be used as an office. Kenneth Reynolds **moved** to approve the license for Phoenix Trucking. Dennis Long **seconded** the motion. The motion passed with all voting aye.

A business license application was received from **Veteran Fishing & Rental** located at 1608 E 500 S. Nikki Kay said this business will be sharing a location with Extreme Wireline. The business is in the proper zone and was recommended for approval by Dale Peterson. Dennis Long **moved** to approve the business license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

A business license application was received from **Ziegler Bookkeeping dba: Moon Bookkeeping and Consulting** located at 765 E 2850 S. Nikki Kay reported this is a home occupation business and the owner will be doing books out of her home. She stated the owner has signed a home occupation agreement. Kenneth Reynolds **moved** to approve the business license. Dennis Long **seconded** the motion. The motion passed with all voting in the affirmative.

Gwen Harrison presented changes to chapter 02-14-017 of the Land Use Ordinance. She stated the Planning Commission has been discussing these changes since January. Ms. Harrison stated the proposed ordinance change states a person can't move a mobile home within the City or place as a dwelling anything manufactured prior to June 15, 1976. She also reported, with the anticipated growth in the city, current limited availability for rentals, and individuals

CHANGES TO LAND USE ORDINANCE CHAPTER 02-14-017 RECREATIONAL VEHICLE & MOBILE HOME REQUIREMENTS

wanting to live in RV's during the process of building their homes, this ordinance was created. She explained the conditions for people wanting to live in their RV while building a home. Ms. Harrison stated, for the first thirty (30) days of someone living in an RV nothing would be required, after 30 days a permit would be required and would be good for one (1) year. The RV would need to meet the accessory building set backs and be attached to the home utilities. She said the recreational vehicle will be listed on the building permit as temporary shelter for up to one year as long as they are actively building. Councilman Kitchen stated he felt like the Planning Commission went over this pretty good. Dennis Long **moved** to approve Ordinance 22-244. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Micheal Davis presented the final site plan of Naples Self Storage for approval. He stated this will be located at 1661 E 1000 S. Micheal reported the plans have been through Planning & zoning and they approved them with three exceptions. The requirement for a site obscuring fence has been deferred for three (3) years or until a home is built within 1/10th of a mile of the site. The owners are allowed the use of metal on the front facade of the storage building pillars as long as it is earth tone in color and the metal does not look like corrugated metal. The office building will still need to meet the required facade finish. The third exception was to allow the front fence to be built as close as twelve (12) feet from top back of curb as long as it is not in the right-of-way. Micheal stated it will be the financial responsibility of the owners for any problems or damage to the irrigation easement that runs through the property. Naples Self Storage will need to provide access to the irrigation and if it has to be fixed then the owners of the facility are financially responsible for repairing any failures and they acknowledge the liability and release Naples City from financial responsibility. Mr. Bret Stringham (owner of the irrigation water from the Lateral 13B) stated the City is allowing Mr. Richards to build over the top of a water line. Council Kitchen stated that it happens because the airport did the same thing. Councilman Hall asked where the

***APPROVE FINAL SITE
PLAN OF NAPLES SELF
STORAGE***

irrigation line is? It was stated the irrigation line runs through the middle of the property Naples Self Storage is building on. Councilman Kitchen stated the City is protected by the statement that "Naples Self Storage acknowledges the liability and releases Naples City from financial responsibility for the irrigation line that goes through the property" but that does not protect Mr. Stringham. Councilman Kitchen stated it would benefit Mr. Richards to have an agreement with Mr. Stringham to hold him harmless if he went in to repair his line. Mr. Richards stated they have plans to be able to tie into the original pipeline, cap it off, and relocate it if there is ever a problem. Councilman Kitchen stated that does not cover him if Mr. Stringham goes in to repair it. Kenneth Reynolds **moved** to approve the plans, making sure Mr. Richards is aware there is an easement through there and if there is a problem with the irrigation line he would have to go in and repair it, preferably within thirty (30) days from the day they acknowledge the problem. Scott Major stated he wanted to add a comment that it's not the government's place to decide that and it is a civil issue between the two land owners. Dennis Long **seconded** the motion. The motion passed with a majority voting aye. Councilman Kitchen voted nay. Councilman Kitchen stated he could support it if Mr. Richards would work something out with Mr. Stringham and he felt it was his responsibility to protect the land owner.

Nikki Kay stated Mayor Baker wanted her to ask if the Council would approve sponsoring a table for the Vernal Area Chamber of Commerce Dinner. The cost for a table for eight (8) is \$260. Dennis Long **moved** to approve \$260. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Nothing was brought forward under other matters.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 8:00. Kenneth Reynolds **seconded** the motion. The meeting was adjourned by all

***APPROVE SPONSORSHIP
OF VERNAL AREA
CHAMBER OF
COMMERCE DINNER***

***OTHER MATTERS OR
FUTURE COUNCIL
MATTERS***

MOTION TO ADJOURN

voting in favor of the motion.

APPROVED BY COUNCIL ON THE 12^h DAY OF MAY 2022

BY: _____

ATTEST: _____